

Application No.: 10/607,661

Docket No.: DP-309088 (209724-83190)

REMARKS

Claims 1-19 are pending and stand rejected by the Office Action. No Claims have been amended, cancelled, or added. Withdrawal of the rejection to the claims is respectfully requested in view of the following remarks.

I. Formal Matters

1. The Office Action Summary page and rejection to the claims on pages 3-5 of the Office Action has indicated that Claims 1-20 are pending and rejected. Applicant respectfully submits that originally-filed Claims 1-19 are pending and that "a Claim 20" does not currently exist. Correct of the record is respectfully requested.

II. The Claims Define Patentable Subject Matter

1. The Office Action rejects Claims 1, 3-6 and 15-16 under 35. U.S.C. §102(b) as being anticipated by U.S. 6,441,792 to Stevenpiper et al. ("Stevenpiper"). The rejection is respectfully traversed.

Independent Claim 1 specifies, *inter alia*, "at least one first antenna located about a first portion of a mobile structure capable of receiving satellite and terrestrial re-transmitted signals... at least one second antenna located about a second portion of a mobile structure capable of receiving satellite and terrestrial re-transmitted signals...such that signal reception on the mobile structure is maintained by switching and/or combining the...signals...when the...signals being received by the at least one first or second antenna is obstructed." It is respectfully submitted that the recited subject matter is not disclosed, taught or suggested in the applied art.

Because Stevenpiper does not disclose, teach, or suggest all of the claim limitations as recited in independent Claim 1, the Office action fails to establish a prima facie case of obviousness. See MPEP §2143. For at least this reason, Claim 1 is allowable over the applied art. Claims 3-6 and 15-16 depend directly or indirectly from Claim 1, and are therefore allowable over the applied art. Withdrawal of the rejection to Claims 3-6 and 15-16 is respectfully requested.

Application No.: 10/607,661

Docket No.: DP-309088 (209724-83190)

2. The Office Action rejects Claims 2, 7-14, and 17-19 under 35. U.S.C. §103(a) as being unpatentable over Stevenpiper. The rejection is respectfully traversed.

The Office Action *summarily admits* that Stevenpiper is *completely silent* to *all* of the claim limitations recited in Claims 2, 7-14, and 17-19. Since Claims 2, 7-14, and 17-19 depend directly or indirectly from Claim 1 as described above, it is respectfully submitted that MPEP §706.02(j) requires that the Office Action set forth relevant teachings of the prior art by referencing relevant column and line numbers where appropriate. Applicant is unable to locate any teaching or suggestion of the alleged limitations taught by Stevenpiper as recited in independent Claim 1. Thus, for reasons explained above and in section II., subsection 1., Claims 2, 7-14, and 17-19 are allowable over the applied art.

With respect to the teachings of the claimed invention, *two or more complementary antennas* are used to increase the probability of uninterrupted reception of satellite/terrestrial re-broadcast signals (S) when obstructions, such as tall buildings (B) or trees (T), impede the line of sight of *at least one of the antennas*, which would otherwise result in an *obstructed signal* (O). See: Figure 3 (below), paragraphs [0015] and [0029] of the originally-filed specification.

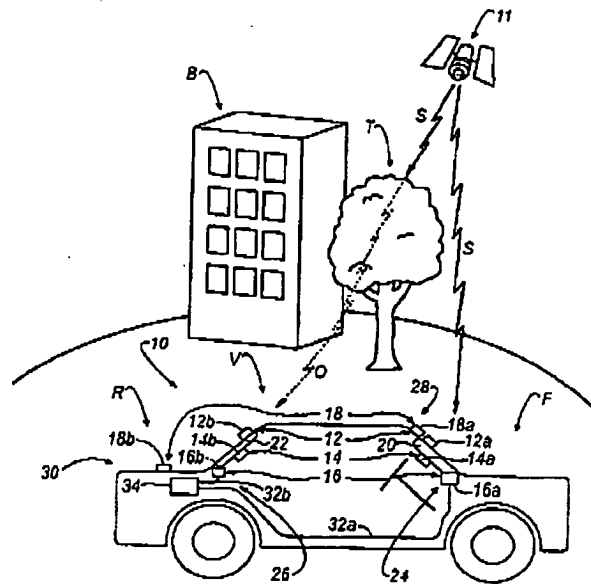


FIG. 3

Application No.: 10/607,661

Docket No.: DP-309088 (209724-83190)

As such, it is preferable to locate the antennas at opposing front (F) and rear (R) *portions* of the vehicle. See: paragraph [0018] of the originally-filed specification. More specifically, each antenna may be located interior or exterior of a front or rear windshield glass (20, 22) an instrument panel (24), a package shelf (26), or an exterior shell of the vehicle, such as an outer glass frame (28) or a fender (30). See: paragraph [0019] of the originally-filed specification.

Conversely, Stevenpiper appears to disclose a *single* antenna module 24 located about the roof of a vehicle 10 including four antennas 18-1, 18-2, 18-3, 18-4 that are apt to work in *different frequency ranges or bands*. The four antennas include a *single* SDARS antenna 18-2 (see Figure 4 below) with three other antennas, being, a global positioning system (GPS) antenna 18-1, a personal communication systems (PCS/AMPS) antenna 18-3, and a direct short-range communications (DSRC) antenna 18-4 that are all connected via an antenna switch 26.

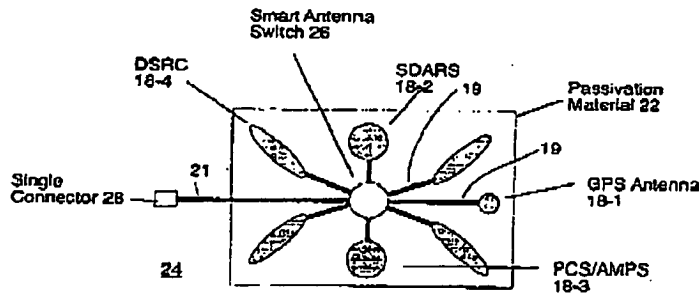


Figure 4

The antenna switch 26 provides spatial diversity, which causes the antenna switch 26 to switch between the various antenna elements 18 when multiple beams 20 (see Figure 3 below) are used in *one or more bands*. See: col. 6, line 4, and col. 7, line 38 – col. 8, line 18.

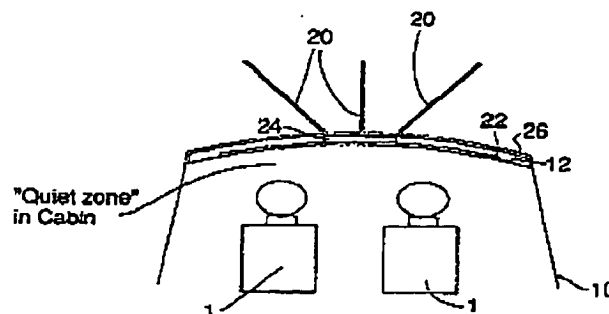


Figure 3

Application No.: 10/607,661

Docket No.: DP-309088 (209724-83190)

Thus, Stevenpiper clearly *teaches away* from the claimed invention since Stevenpiper does not suggest "at least one *first* antenna (and)... at least one *second* antenna (both) capable of receiving satellite and terrestrial re-transmitted signals...switching and/or combining the...signals...when the...signals being received by the at least one first or second antenna is obstructed." Stevenpiper appears to suggest switching between single antenna structures that each operate on individual, specific bands. Therefore, it is clear that Stevenpiper does not disclose, teach, or suggest all of the claim limitations. Thus, the Office action clearly fails to establish a prima facie case of obviousness. See MPEP §2143. Withdrawal of the rejection to Claims 2, 7-14, and 17-19 is respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Any fee believed to be due is set forth in the attached fee transmittal. However, if any additional fee is due, please charge our Deposit Account No. 503145, under Order No. 209724-83190 from which the undersigned is authorized to draw.

Dated: October 27, 2004

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